City Planning Commission
Planning Meeting – January 27, 2015

CONSIDERATION – SUBDIVISION DOCKET – 166/14 Applicant: Solution Automotive & Used Cars Sales, Inc.

Prepared By: Brooke Perry Date: January 15, 2015 Deadline: February 27, 2015

GENERAL INFORMATION

Proposal: Subdivision of Lots 1 and 2 into Lots 1A and 2A.

Location: Square 350, Second Municipal District, bounded by North Broad, Belle

Chasse, Crete, and Orchid Streets. The municipal address is 1113 North Broad Street. The petitioned property is located within the Esplanade

Ridge Local Historic District. (PD 4)

Zoning: B-1 Neighborhood Business District

Current

Land Use: The site is currently being utilized as an automobile sales lot. No buildings

are located on the site, however there is an opaque fence surrounding the

perimeter of the property.

Required:

The applicant proposes to reconfigure two (2) existing lots of record with frontage on North Broad Street into two (2) new lots of record with frontage on Belle Chasse Street which are to be developed with single-family residences. The proposal will result in a reversal of lot frontage for proposed Lots 1A and 2A. In addition, the proposed lots will be substandard in lot depth for the RM-1 Multiple-Family Residential District, which is the standards required for residential uses in the B-1 District.

In accordance with **Article 3** of the *New Orleans Subdivision Regulations*, all minor and major subdivisions are classified into seven categories. The proposed subdivision is classified as a Policy B subdivision request, which waives the requirement for a public hearing for subdivisions that meet all the requirements of the *Subdivision Regulations* or meet each of three conditions. All doubtful cases must be referred to the Commission. The proposed subdivision would result in a reversal of lot frontage, which has been interpreted to require review by the City Planning Commission in accordance with **Article 5**, **Section 5.1.8** of the Subdivision Regulations.

The subject site is located within a B-1 Neighborhood Business District. Pursuant to Article 5, Section 5.5.1. Lot Size of the Subdivision Regulations, lots in a commercial zoning district that are to be used for residential purposes shall conform to the District Regulations of the Comprehensive Zoning Ordinance. Area requirements for residential uses located in a B-1 Neighborhood Business District are the same as for the RM-1 Multiple-Family Residential District. The proposed lots meet the minimum lot width and area requirements, but do not meet the minimum lot depth required for single-family residences in the RM-1 District, as shown in the table below.

Table 1: Area Requirements for Single-Family Residences in RM-1

Requirement	Standard	
Minimum Lot Width	30 ft.	
Minimum Lot Depth	90 ft.	
Minimum Lot Area Per Dwelling Unit	3,600 sq. ft.	

Utilities & Regulatory Agencies:

The City Planning Commission, when reviewing a proposed subdivision, requests responses from the Department of Property Management Division of Real Estate and Records, Department of Public Works, Department of Safety and Permits, Sewerage and Water Board, the Historic District Landmarks Commission (where applicable), and Entergy regarding the compliance of the proposed subdivision with the building codes, zoning ordinance, and other regulations governing development in the city.

The Department of Property Management, Division of Real Estate and Records noted no objection to the proposal, finding no exceptions regarding ownership and the survey.

The representative of the Sewerage and Water Board stated that water facilities are available as shown in the proposed subdivision docket plan. Sewer facilities are available for Lot 1A, but not Lot 2A. Sewer can be made available to Lot 2A with the proper extension in accordance with Sewerage and Water Board's policy with developers for extension of mains. Sewer and water house connections are not shown; therefore, a note should be shown on the plans stating sewer and water house connections are the property owner's responsibility.

The Department of Safety and Permits noted no objection to the proposal.

At the time of this writing, the Historic District Landmarks Commission, the Department of Public Works, and Entergy had not yet reviewed the proposed subdivision.

• The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, Property Management Division of Real Estate and Records, Historic District Landmarks Commission, and the Department of Safety and Permits.

LOT SIZE

Existing Lots:

The existing parcel is irregularly-shaped and both lots have frontage on North Broad Street. The existing rectangular-shaped Lot 1 is has a width of approximately twenty-one feet (21') along North Broad Street, a depth of approximately one hundred five feet, eight inches (105' - 8"), and an area of approximately four thousand five hundred six square feet (4,556 sq. ft.). The existing Lot 2 has a width of approximately twenty-nine feet, ten inches (29' - 10"), a depth of approximately one hundred feet (100'), and an area of approximately two thousand nine hundred eighty-three square feet (2,983 sq. ft.).

Table 2: Dimensions of Existing Lots

Measurement	Lot 1	Lot 2
Lot Width	21 ft.	29 ft. 10 in.
Lot Depth	105 ft. 8 in.	100 ft.
Lot Area	4,556 sq. ft.	2,983 sq. ft.

Proposed Lots:

The proposed Lots 1A and 2A would be irregularly-shaped with frontage on Belle Chasse Street. The proposed Lot 1A would have approximately fifty feet, four inches (50' - 4") of frontage on Belle Chasse Street, a depth of approximately sixty-three feet, five inches (63' - 5"), and an area of approximately three thousand six hundred thirty-six square feet (3,636 sq. ft.). The proposed Lot 2A would have approximately sixty feet, eleven inches (60' - 11") of frontage on Belle Chasse Street, a depth of approximately eighty-seven feet, eleven inches (87' - 11"), and an area of approximately three thousand nine hundred three (3,903 sq. ft.). The proposed Lot 2A would have approximately eighty-seven feet, eleven inches (87' - 11"), and an area of approximately three thousand nine hundred three (3,903 sq. ft.).

Table 3: Dimensions of Proposed Lots

Measurement	Lot 1A	Lot 2A
Lot Width	50 ft. 4 in.	60 ft. 11 in.
Lot Depth	63 ft. 5 in.	87 ft. 11 in.
Lot Area	3,636 sq. ft.	3,903 sq. ft.

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¹ According to the Comprehensive Zoning Ordinance, lot depth is calculated as the average horizontal distance between the front and rear lot lines. Lot 1 has a depth of one hundred feet (100°) on the Orchid Street side and a depth of one hundred eleven feet, four inches (111° - 4") on the Belle Chasse Street side; the average of these two distances is one hundred five feet, eight inches (105° - 8").

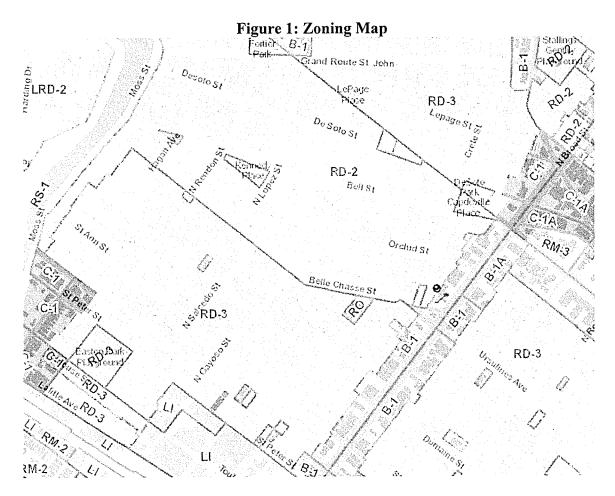
² Proposed Lot 1A has a depth of fifty feet, eleven inches (50' - 11") on the North Broad Street side and a depth of seventy-six feet, six inches (76' - 6") on the Crete Street side; the average of these two distances is sixty-three feet, five inches (63' - 5").

³ Proposed Lot 1A has a depth of seventy-six feet, six inches (76' - 6") on the North Broad Street side and a depth of ninety-nine feet, ten inches (99' - 10") on the Crete Street side; the average of these two distances is eighty-seven feet, eleven inches (87' - 11").

ANALYSIS

Development in the Vicinity:

The subject site is located in the Bayou St. John Neighborhood on the corner of North Broad Street and Belle Chasse Street in the Esplanade Ridge Local Historic District. The property is located within a B-1 Neighborhood Business District, which extends across those properties located along Broad Street from St. Peter Street to Esplanade Avenue. The district contains numerous commercial uses; nearby uses include a beauty salon, a financial services establishment, and a laundromat.



The site abuts a large RD-2 Two-Family Residential District that is generally bounded by Broad Street (with the exception of those properties zoned B-1), Belle Chasse Street and St. Phillip Street, Bayou St. John, and Esplanade Avenue. The area was historically developed as a series of different faubourgs without coordination of street grids, causing a number of irregularly-shaped blocks. The tree-lined boulevards of Esplanade Avenue and Ursulines Avenue are perpendicular to Broad Street. However, streets such as Belle Chasse, Orchid, Bell, and De Soto intersect Broad Street diagonally, creating irregular-shaped squares of varying sizes. Many of the lots that comprise these squares are also irregularly-shaped and vary greatly in size. Lots in the area are predominantly occupied

by single- and two-story residences dating from the late 19th and early 20th century. These residences are generally developed on diagonal lots, and thus face the street at an angle.

This unusual street pattern in the area often creates conditions where lots are substandard as to lot width, lot depth and area. In addition, there are several instances of unusual lot configurations where required rear yards abut required side yards and where required front yards are located opposite required side yards. There are also instances of through lots with double frontage.

COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS:

Compliance with the Comprehensive Zoning Ordinance

The subject site is located within a B-1 Neighborhood Business District. Pursuant to Article 5, Section 5.5.1. Lot Size of the Subdivision Regulations, lots in a commercial zoning district that are to be used for residential purposes shall conform to the District Regulations of the Comprehensive Zoning Ordinance. Area requirements for residential uses located in a B-1 Neighborhood Business District are the same as for the RM-1 Multiple-Family Residential District. According to Article 4, Section 4.8.7 (Table 4.H), single-family residences in the RM-1 District must have a minimum lot width of thirty feet (30'), a minimum lot depth of ninety feet (90'), and a minimum lot area of three thousand six hundred square feet (3,600 sq. ft.)

Table 4: Area Requirements for Single-Family Residences in RM-1

Requirement	Standard	
Minimum Lot Width	30 ft.	
Minimum Lot Depth	90 ft.	
Minimum Lot Area Per Dwelling Unit	3,600 sq. ft.	

The proposed Lot 1A meets the required minimum lot width of thirty feet (30'), and minimum lot area of three thousand six hundred square feet (3,600 sq. ft.). However, Lot 1A's depth of approximately sixty-three feet, five inches (63' - 5") does not meet the minimum lot depth requirement of ninety feet (90'). The proposed Lot 2A also meets the required minimum lot width and minimum lot area, however its depth of approximately eighty-seven feet, eleven inches (87' - 11") does not meet the minimum lot depth requirement. If approved, both proposed Lot 1A and 2A will require a waiver of lot depth from the Board of Zoning Adjustments.

• The applicant shall secure approval from the Board of Zoning Adjustments for any necessary waivers, including lot depth, for proposed Lots 1A and 2A.

Compliance with the Subdivision Regulations

Policy B of the *Subdivision Regulations* allows for Administrative Approval of subdivisions which either meet all of the requirements of the regulations or meet each of three alternative conditions. The proposed subdivision meets all of the requirements of the *Subdivision Regulations* except for the design standard that discourages the reversal of lot frontage. The language of the standard pertaining to the reversal of lot frontage in the Subdivision Regulations is reproduced below:

According to Article 5, Section 5.1.8 – Reversal of Lot Frontage of the Subdivision Regulations, the Planning Commission will look with disfavor upon proposals for reversal of lot frontages that will result in:

- a. Required rear yards abutting required side yards;
- b. Required side yards abutting required rear yards;
- c. Required front yards opposite required side yards,

unless the existing lot pattern within 500 feet on both sides of the proposed subdivision on each affected street contains development on which 50% or more lots have similar frontages. Reversal of lot frontages, which will result in placing lot frontages on Major Streets, will be generally acceptable, unless such reversals result in hardship to owners of the adjoining properties.

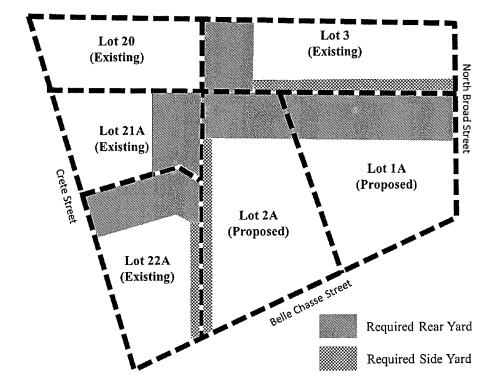


Figure 2: Existing and Proposed Required Yards

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The lot that abuts the proposed lots along the Orchid Street side (Lot 3) is zoned B-1 Neighborhood Business District, however it is currently developed with a single-family residence. Thus, the regulations of the RM-1 Multiple-Family Residential District apply, which require a minimum side yard width of three feet (3') and a minimum depth of rear yard of twenty feet (20'). The proposed subdivision would result in the required rear yard of proposed Lots 1A and 2A abutting the required side yard of existing Lot 3, which conflicts with standard a of **Article 5**, **Section 5.1.8** – **Reversal of Lot Frontage**. The proposed subdivision would also result in the required rear yard of proposed Lot 2A abutting the required rear yard of existing Lot 3, which does not conflict with the standard.

The lot that abuts the proposed Lot 2A along the Crete Street side (Lot 22A), is zoned RD-2 Two-Family Residential District and is developed with a single-family residence. The RD-2 District requires a minimum side yard width of three feet (3') and a minimum depth of rear yard of twenty feet (20'). The proposed subdivision would result in the required side yard of proposed Lot 2A abutting the required rear yard of existing Lot 22A, which conflicts with standard b of **Section 5.1.8.**

The lot that abuts the rear of proposed Lot 2A along the Crete Street side (Lot 21A), is zoned RD-2 Two-Family Residential District, and is developed with a single-family residence. The proposed subdivision would result in the required side yard of proposed Lot 2A abutting the required rear yard of existing Lot 21A, which also conflicts with standard b of **Section 5.1.8.**

The lot that is opposite the proposed lots across Belle Chasse Street (Square 351, Lot "Triangle") is zoned B-1 Neighborhood Commercial District and is currently developed with a beauty salon. The B-1 District does not require side yards unless the property is abutting a residential district. Lot Triangle does not abut a residential district; therefore it has no required side yards. Thus the proposed subdivision is not in conflict with standard c of **Section 5.1.8.**

The staff surveyed the existing lot pattern within five hundred feet (500') of the petitioned site on each affected street to determine how many lots had similar frontages to

the proposal.⁴ All lots along North Broad are zoned B-1 Neighborhood Business District. The B-1 District does not have yard requirements unless the property abuts a residential district. Out of the sixty-seven (67) properties surveyed, ten (10) did not have yard requirement; therefore staff included those fifty-seven (57) properties with required yards in the analysis. Out of properties with required yards, forty-

Table 5: Total Properties within 500 feet of Petitioned Site with Similar Frontages

Description	Number	Percentage
Total Properties with Required Yards	57	100%
Similar Frontage	27	47%
No Similar Frontage	30	53%

⁴ Staff included properties within five hundred feet (500') on both sides of Belle Chasse Street, Ursulines Avenue and North Broad Street in the analysis.

seven percent (47%) had similar frontages to the proposal.

While this does not constitute more than fifty percent (50%) of the surveyed lots, this includes development located south of North Broad Street along Uruslines Avenue. The street pattern and blocks in this area are markedly different than those north of North Broad Street, where the subject property is located. When only the properties north of North Broad Street along Belle Chasse Street and Ursulines Avenue were analyzed the majority have a similar frontage to the proposed lots. Out of the nineteen (19) properties located north of North Broad Street, eleven (11) or fifty-eight percent (58%) have similar frontages to the proposal. Most properties with similar frontages had required rear yards abutting required side yards, however there were two (2) instances of a required side yard abutting a required rear yard.

Table 6: Properties north of North Broad Street along Belle Chasse Street and Ursulines Avenue within 500 feet of Petitioned Site

Description	Number	Percentage
Total Properties	19	100%
Similar Frontage	11	58%
No Similar Frontage	8	42%

Staff also looked at those properties within five hundred feet (500') along North Broad Street. As mentioned, all lots along North Broad Street are zoned B-1 Neighborhood Business District. The B-1 District does not have yard requirements unless the property abuts a residential district. Out of thirty (30) properties surveyed, ten (10) did not have yard requirement, therefore staff included those twenty (20) properties with required rear yards in the analysis. Out of properties with required yards, fourteen (14) or seventy percent (70%) had a similar frontage to the proposed lots. All of these lots had instances where a required rear yard abuts a required side yard, and three (3) properties also had required side yards that abut required rear yards.

Table 7: Properties along Broad Street within 500 feet of Petitioned Site

Description	Number	Percentage
Total Properties with Required Yards	20	100%
Similar Frontage	14	70%
No Similar Frontage	6	30%

The proposed lots are adjacent to Broad Street, which is classified as a Major Street. The proposed subdivision would result in the placing of the lot frontages on Belle Chasse Street, which is not classified as a Major Street.

Table 8: Raw Data for Properties within 500 feet of Petitioned Site with Similar Frontages

Address	Street	Similarity
2717	Belle Chasse St.	Rear yard abuts side yard
2740	Belle Chasse St.	Rear yard abuts side yard
2744	Belle Chasse St.	Rear yard abuts side yard
2748	Belle Chasse St.	Rear yard abuts side yard
2703	Ursulines Ave.	Rear yard abuts side yard
2705	Ursulines Ave.	Rear yard abuts side yard
2711	Ursulines Ave.	Rear yard abuts side yard
2718	Ursulines Ave.	Side yard abuts rear yard
2719	Ursulines Ave.	Rear yard abuts side yard
2723	Ursulines Ave.	Side yard abuts rear yard
2726	Ursulines Ave.	Rear yard abuts side yard
2615	Ursulines Ave.	Rear yard abuts side yard
2623	Ursulines Ave.	Rear yard abuts side yard
1002	N. Broad St.	Rear yard abuts side yard
1003	N. Broad St.	Rear yard abuts side yard
1006	N. Broad St.	Rear yard abuts side yard
1009	N. Broad St.	Rear yard abuts side yard
1012	N. Broad St.	Rear yard abuts side yard
1016	N. Broad St.	Rear yard abuts side yard, Side yard abuts rear yard
1019	N. Broad St.	Rear yard abuts side yard, Side yard abuts rear yard
1022	N. Broad St.	Rear yard abuts side yard, Side yard abuts rear yard
1037	N. Broad St.	Rear yard abuts side yard
1214	N. Broad St.	Rear yard abuts side yard
1226	N. Broad St.	Rear yard abuts side yard
1228	N. Broad St.	Rear yard abuts side yard
1234	N. Broad St.	Rear yard abuts side yard
1240	N. Broad St.	Rear yard abuts side yard

Since the proposal does not meet all of the standards of Article 5, Section 5.1.8 – Reversal of Lot Frontage, approval of the proposed subdivision would therefore require a variance from the policy. Section 1.13 of the Subdivision Regulations provides for the consideration of variances or modifications to the regulations by the City Planning Commission. The language from that section is reproduced below, followed by an analysis of the requested variance.

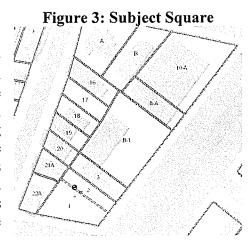
Section 1.13. Variances and Exceptions

Whenever the tract of land to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, the Commission may vary or modify such requirements, so that the subdivider is allowed to develop his property in a reasonable manner, but so that, at

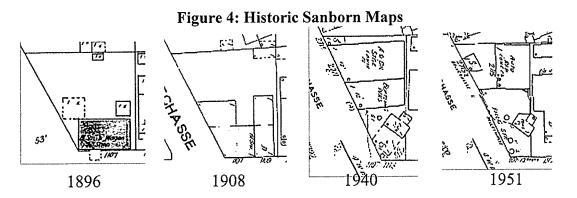
the same time, the public welfare and interests of the City are protected and the general intent and spirit of these regulations are preserved.

Unusual size and shape of current tracts of land

The petitioned site is located upon an irregular-shaped square that is bounded by North Broad Street and three (3) diagonal streets; Belle Chasse Street, Crete Street, and Orchid Street. As a result, the lots on the petitioned square are of varying shapes and sizes. Due to the irregular shape of the square, the existing Lot 1's required rear yard abuts Lot 22A's required side yard, thus the proposed frontages are not drastically different than what is existing. In addition, the lots have assumed multiple arrangements over the years, including frontage on



Belle Chasse Street, as shown in the Sanborn maps below:



Conditions of surrounding development

Due to how the area was historically developed, the street pattern in the neighborhood is highly irregular, creating unusual blocks and lots. The majority of squares in the area north of Broad Street share similar irregularities and as a result the lots which compose them are also unusual. Out of properties surveyed along Belle Chasse Street and Ursulines Avenue north of North Broad Street, fifty-eight percent (58%) share similar frontages to the proposal. The majority of lots along North Broad Street with required yards also share similar frontages to the proposal. Denying the variance of Article 5, Section 5.1.8 – Reversal of Lot Frontage, would result in an injustice upon the applicant as many other lots in the area have similar frontages.

Protection of public welfare and interests

The approval of the proposed subdivision should not adversely affect surrounding properties. As mentioned, there are several instances of properties with similar frontages in the area. The proposed subdivision would be harmonious with the existing residential

development in the area. In addition, the proposed subdivision would allow the lots to be developed residentially. This use would be less intensive than the commercial that is currently permitted, and thus would not be injurious to adjacent residential properties.

Based on the information presented above, the staff believes the proposal meets the threshold for the granting of a variance to the reversal of lot frontage design standard. The staff recommends the following waiver:

• The applicant shall be granted a waiver of **Section 5.1.8** of the *New Orleans Subdivision Regulations*, which requires the City Planning Commission to look with disfavor upon proposals for the reversal of lot frontage, to permit the creation of a lot that will result in required rear yards abutting required side yards, and a required side yard abutting a required rear yard.

SUMMARY

Subdivision Docket 166/14 is a request to reconfigure two (2) existing lots of record with frontage on North Broad Street into two (2) new lots of record with frontage on Belle Chasse Street which are to be developed with single-family residences. Area requirements for residential uses located in a B-1 Neighborhood Business District are the same as for the RM-1 Multiple-Family Residential District. The proposed lots meet the required lot width and area requirements of the RM-1 District; however they do not meet the lot depth requirement. The proposed subdivision would also result in required rear yards abutting required side yards, and a required side yard abutting a required rear yard. However, this condition is not unusual for the area as several other properties have this configuration because of the irregular street pattern in the area. The proposal meets all other requirements of the New Orleans Subdivision Regulations.

PRELIMINARY STAFF RECOMMENDATION⁵

The staff recommends tentative approval of Subdivision Docket 166/14, with final approval subject to one (1) waiver and four (4) provisos:

Waiver

1. The applicant shall be granted a waiver of **Section 5.1.8** of the *New Orleans Subdivision Regulations*, which requires the City Planning Commission to look with disfavor upon proposals for the reversal of lot frontage, to permit the creation of a lot that will result in required rear yards abutting required side yards, and a required side yard abutting a required rear yard.

⁵ The preliminary staff recommendation is subject to modification by the City Planning Commission

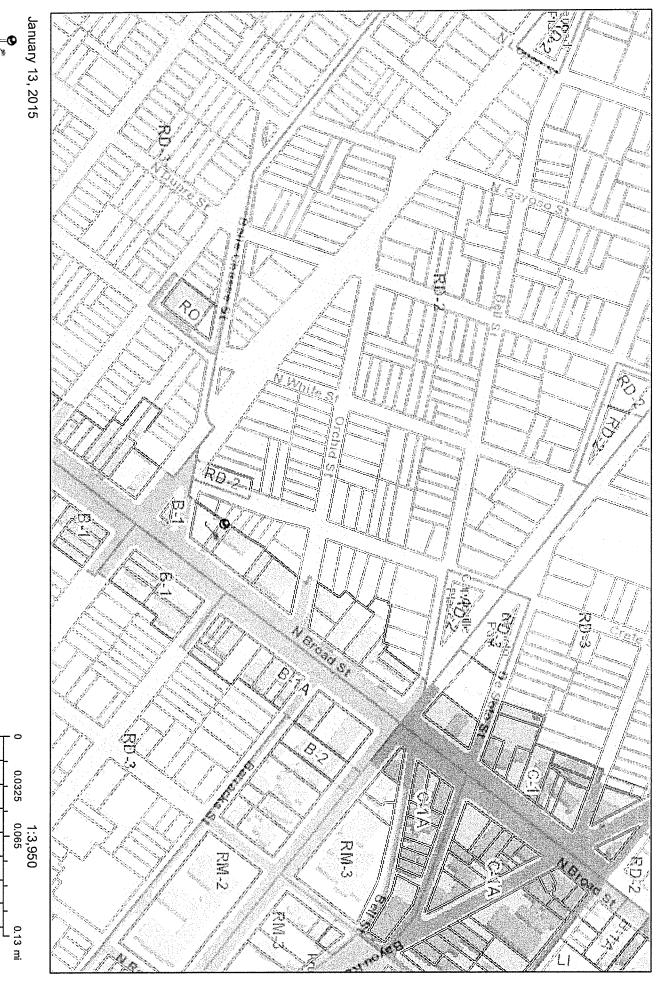
Provisos

- 1. The applicant shall comply with all other Subdivision Regulations, which include the submittal of mortgage certificates, consent letters from any mortgage companies or lien holders (if applicable) and tax certificates for the petitioned site.
- 2. The applicant shall comply with any requirements deemed necessary by Entergy, the Sewerage and Water Board, the Departments of Public Works, Property Management Division of Real Estate and Records, Historic District Landmarks Commission, and the Department of Safety and Permits.
- 3. The applicant shall submit a reproducible copy and two (2) prints and a digital copy of the final re-subdivision survey in dwg., dfx, or ESRI compatible file format.
- 4. The applicant shall secure approval from the Board of Zoning Adjustments for any necessary waivers, including lot depth, for proposed Lots 1A and 2A.

REASONS FOR RECOMMENDATION

- 1. The petitioned square and existing lots are unusually shaped. Therefore any configuration of the lots would be irregular.
- 2. The subject site is surrounded by development similar to the proposal. The denial of the variance would result in an injustice upon the applicant as many other lots in the area have similar frontages
- 3. The approval of the proposed subdivision should not adversely affect surrounding properties or be injurious to the public welfare.

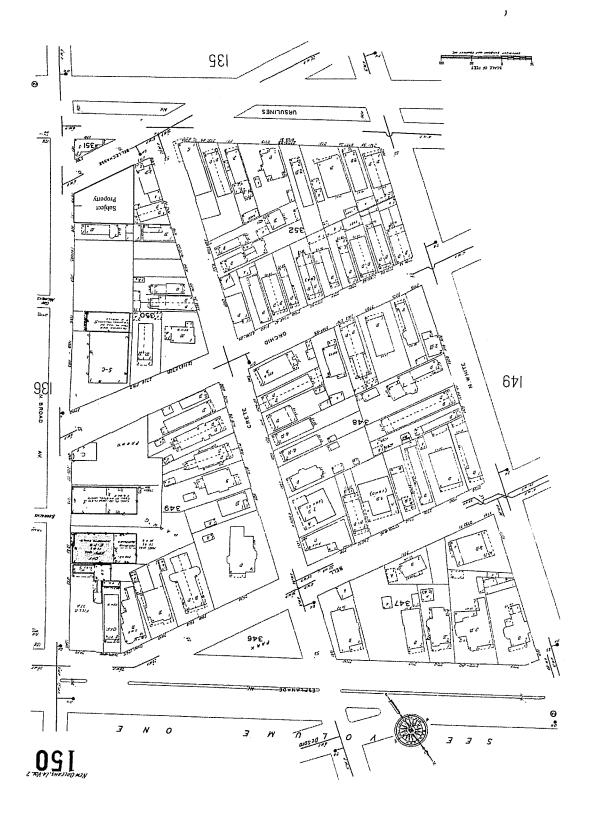
City of New Orleans Property Viewer



Override 1

0.05

0.2 km



SQ. NO. 350 NEW ORLEANS, LA ORLEANS PARISH SECOND DISTRICT A Resubdivision of Lots 1 & 2 into Lots 1A & 2A. AVE. ST.

URSULINES
BELLECHASSE SIDE Cross Fd. 98.46'2>1 (3,903.15 Sq. Ft.) 6.3.4 0.7.0 1A (3,635.87 Sq. Ft.) ST. 50. ST. 1.7.0 ±0.10.0 1.6.0 1.4.0 **BROAD** ⋛ SIDE ORCHID ST. Improvements may not be to scale for clarity. The dimensions shown prevail over scale. THE FEDERAL INSURANCE ADMINISTRATION FLOOD, HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN PLA-ZONE THE SERVITUDES SHOWN ON THIS PLAT ARE LIMITED TO THOSE FURNISHED TO US. THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING DATA FOR THIS SURVEY. Lot angles as per plan of stip Scale: 1" = 30 Date: November 15, 2014 This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code TITLE 46:LXI, Chapter 25 for a Class "C" survey.

Gilbert, Kelly & Couturie', Inc., Surveying & Engineering 2121 N. Causeway Blvd., Metairie LA 70001 (504) 836-2121

Made at the request of Andrew Williams.